International Criminal Court ICC-ASP/2/9

Assembly of States Parties

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Election of members of the Board of Directors of the Victims Trust Fund

Note by the Secretariat

1. The Trust Fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, was established by the Assembly of States Parties in its resolution ICC-ASP/1/Res.6 of 9 September 2002. The terms of reference of the Board of Directors are set out in the annex to the resolution.

2. The procedure for the nomination and election of the five members of the Board of Directors was set out by the Assembly of States Parties in its resolution ICC-ASP/1/Res.7 of 9 September 2002. In accordance with paragraph 6 of that resolution, each nomination shall specify how the candidate fulfils the requirements laid down in paragraph 1 of the same resolution, i.e., to be of high moral character, impartiality and integrity and have competence in assistance to victims of serious crimes.

3. In accordance with paragraph 8 of resolution ICC-ASP/1/Res.7, each regional group shall have one seat.

4. In accordance with paragraph 10 of resolution ICC-ASP/1/Res.7, every effort shall be made to elect the members of the Board by consensus. In the absence of consensus, the election shall be by secret ballot. This requirement may be dispensed with if the number of candidates corresponds to the number of seats to be filled, or in respect of candidates endorsed by the respective regional groups, unless a delegation specifically requests a vote on a given election.

5. Under paragraph 11, in the event of a tie for a remaining seat, there shall be a restricted ballot limited to those candidates who have obtained an equal number of votes.

6. Under paragraph 12, the person elected shall be the candidate from each group who obtains the highest number of votes and a two-thirds majority of States parties present and voting, provided that an absolute majority of the States parties constitutes the quorum for voting.

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7. At its 11th meeting, held on 22 April 2003, the Assembly of States Parties decided to open the nomination period for the members of the Board of Directors to run from 28 April to 21 August 2003. At the end of this period, one nomination had been received, namely that of Óscar Arias Sánchez (Costa Rica).

8. In accordance with paragraph 7 of resolution ICC-ASP/1/Res.7, information relating to the candidate, with accompanying documents, is to be found in the annex to the present note.

Annex

Note verbale dated 20 August 2003 from the Permanent Mission of Costa Rica to the United Nations addressed to the Office of the Legal Counsel

[Original: Spanish]

The Permanent Mission of Costa Rica to the United Nations has the honour to inform the Office of the Legal Counsel that the Government of Costa Rica has decided to nominate Óscar Arias Sánchez, former President of Costa Rica and 1987 Nobel Peace Prize Laureate, for membership of the Board of Directors of the Victims Trust Fund of the International Criminal Court.

Mr. Arias Sánchez is a person of the utmost moral integrity and impartiality. He is one of the best-known public figures in the sphere of promotion of human rights, democratization, disarmament and peaceful settlement of disputes. The Government of Costa Rica believes that he will make a positive contribution to the noble aims and goals of the Victims Trust Fund.

The candidacy of Mr. Arias Sánchez has been endorsed by the Group of Latin American and Caribbean States Parties to the Statute of the International Criminal Court.

The Permanent Mission of Costa Rica is transmitting herewith to the Office of the Legal Counsel a brief statement of the qualifications of Mr. Arias (see enclosure).

Enclosure

Óscar Arias Sánchez (Costa Rica)

Statement of qualifications

Mr. Óscar Arias Sánchez, former President of Costa Rica and 1987 Nobel Peace Laureate, has international stature as a spokesperson for the developing world. Championing human development, democracy and demilitarization, he has travelled the globe spreading a message of peace, sharing with other leaders and peoples the lessons garnered from the Central American peace process and applying them to the debate on current global issues. The *New York Times* has written that his "... positions on Central American issues have become the standards by which many people in Congress and elsewhere have come to judge United States policy".

Mr. Arias was born in Heredia, Costa Rica, in 1940. He studied Law and Economics at the University of Costa Rica. His thesis, "Grupos de presión en Costa Rica" (Pressure groups in Costa Rica) earned him the 1971 National Essay Prize. In 1974, he received a Doctorate in Political Science from the University of Essex, England. He lectured in Political Science at the University of Costa Rica and served as Minister for Planning and Economic Policy. He was elected to Costa Rica's Legislative Assembly in 1978 and was appointed General Secretary of the National Liberation Party in 1981. In 1986, he was elected President of the Republic.

Mr. Arias assumed office at a time of great unrest in Central America. The fall of the Somoza dictatorship in 1979 and the takeover of power by the Frente Sandinista de Liberación Nacional had created a source of constant tension in the region. The ideological and military interference of the super-Powers, still entrenched in the cold war, threatened to broaden both the scope and the nature of the conflict in Central America.

Such interventionism exacerbated the civil war that had already claimed more than 100,000 lives in Guatemala, aggravated internal instability in El Salvador and Nicaragua and gave rise to border tensions between Nicaragua and its neighbours, Honduras and Costa Rica. Although the previous Government had taken a decision to remain neutral, Costa Rica's involvement in the region's conflicts seemed unavoidable. Faced with these threats, Mr. Arias intensified his efforts to promote peace.

Even before becoming President, Mr. Arias had travelled throughout Central and South America to personally invite heads of State to attend his inauguration. After he took office, nine Latin American Presidents met in San José. At this meeting, President Arias called for a "continental alliance in defence of democracy and freedom". He affirmed the principles that all Central Americans should be able to enjoy the same freedoms and guarantees of social and economic democracy, that each nation should have the right to choose, through free and fair elections, the kind of government that could best meet the needs and interests of its people, and that neither arms nor totalitarian regimes could assume the right to decide for them. At that moment, guided by President Arias, Costa Rica assumed an active role in the search for democracy and peace for the countries of the region.

In 1987, President Arias drew up a peace plan to end the regional crisis. Widely recognized as the Arias Peace Plan, his initiative culminated in the

Esquipulas II Agreement or Procedure for the establishment of a firm and lasting peace in Central America, signed by all the Central American Presidents on 7 August 1987. That same year, he was awarded the Nobel Peace Prize.

In 1988, Mr. Arias used the financial award from the Nobel Prize to set up the Arias Foundation for Peace and Human Progress. Under the auspices of the Foundation, three programmes were established: the Centre for Human Progress to promote equal opportunities for women in all sectors of Central American society; the Centre for Organized Participation to foster change in the orientation of philanthropy in Latin America; and the Centre for Peace and Reconciliation to work for demilitarization and conflict resolution in the developing world. Starting from this basis, Mr. Arias has continued his pursuit of global peace and human security. He recently launched an initiative for drawing up an international code of conduct on arms transfers.

Mr. Arias has received approximately 50 honorary doctorates from various colleges and universities, such as Harvard, Princeton, Dartmouth, Oberlin, Marquette and Washington University in St. Louis, as well as other prestigious educational institutions. He has also received numerous prizes, among them the Martin Luther King, Jr. Peace Award, the Liberty Medal of Philadelphia, the Jackson Ralston prize, the Prince of Asturias Prize, the Albert Schweitzer Award and the Americas Award.

Mr. Arias participates actively in several international organizations. He serves on the Boards of Directors of the International Centre for Human Rights and Democratic Development (ICHRDD) and Economists Allied for Arms Reduction (ECAAR). In addition, he serves on the Board of the InterAction Council, the International Negotiation Network of the Carter Center, the Peres Centre for Peace, the International Crisis Group (ICG) and Transparency International. He has been a member of the Commission on Global Governance and the Stockholm International Peace Research Institute (SIPRI) and is currently a member of the Independent World Commission on the Oceans and the 2000 International Olympic Committee (IOC 2000). He is also an active member of the Inter-American Dialogue, the Society for International Development and the Create 21, Asahi Forum.

While he is best known for his international efforts, Mr. Arias is also lauded for his capable management of the Costa Rican economy during his presidential term. He believes in minimal government intervention and bureaucracy as the best means to a prosperous economy. Under his leadership, Costa Rica's economy thrived and served as a model for neighbouring countries. During his term of office, Costa Rica maintained its advantage as a country with a healthy economy and a high standard of living. Gross domestic product increased by an average of 5 per cent per year, while unemployment decreased to 3.4 per cent, the lowest rate in the hemisphere. This economic growth was accompanied by a strong social welfare programme, which included, inter alia, an initiative to provide housing to the most disadvantaged sectors of society.

Mr. Arias was a "visible" President, often venturing out in public to listen to the concerns of citizens. Since the conclusion of his presidential term in 1990, he has continued to be a "man of the people", eager to promote his innovative ideas of human security, global governance and human development. By bringing human concerns to the forefront of the international agenda, he has forged a link between the impoverished South and the developed North, between the politically stable

West and the conflict-ridden East. To the industrialized countries, he brings a sincere message of solidarity that contrasts with the growing threats faced by all nations today, and initiatives that could usher in an era of peace and prosperity for all humankind.